

REMARKS

Claims 12-14, 16, 18, and 30-31 are currently pending in the present application, with Claim 32 being additionally canceled and Claim 12 being amended. Reconsideration and reexamination of the claims are respectfully requested.

The Examiner further rejected Claims 12-14, 16, and 18 under 35 U.S.C. 102(b) as being anticipated by Kamikawa et al. (U.S. Patent No. 5,940,985). These rejections are respectfully traversed with respect to the amended claims.

As previously communicated, the present invention as claimed is generally directed to methods for processing substrates. Specifically, the solvent vapor is generated in the vapor generator while the fluid communication between the generator and the processing container is disconnected, and that the vapor is introduced to the container only after the pressure of the solvent vapor exceeds the pressure of the processing container.

Applicants have further amended Claim 12 to incorporate the subject matter of now-canceled Claim 32, which further provides that the solvent vapor is water vapor, that the solvent vapor generator is configured to heat water contained therein to generate water vapor, and that the processing gas is ozone gas. This additional feature is nowhere found in, or suggested by, Kamikawa. Indeed, the Examiner did not reject previously pending Claim 32 based on only Kamikawa. Hence, in view of the amendment of Claim 12 to incorporate the subject matter of previously pending Claim 32, Applicants respectfully submit that the pending claims are not anticipated by, nor obvious in view of Kamikawa.

The Examiner rejected Claims 12-14, 16, 18, and 30-32 under 35 U.S.C. § 103(a) as being unpatentable over Toshima et al. (U.S. Patent No. 6,613,692; DE10036867). This rejection is respectfully traversed.

Applicants note that Toshima was filed in the U.S. on July 28, 2000 and issued on September 2, 2003. The present application has claimed foreign priority to, *inter alia*, Japanese Application No. JP2001-009208, which was filed in Japan on January 17, 2001. Hence, the present application claims a foreign priority date earlier than the earliest effective prior art date of Toshima. Applicants hereby submits a certified English translation of JP2001-009208 to perfect the claim of priority under 35 U.S.C. § 119 (*see also* M.P.E.P. 706.02(b)). Applicants invite the Examiner to review the submitted English translation to confirm that the priority document satisfies the enablement and written description requirements of 35 U.S.C. § 112, first paragraph.

In view of Applicants' perfecting of the foreign priority, the Examiner is requested withdraw the above rejection under 35 U.S.C. § 103(a) upon confirming that the priority document satisfies the enablement and written description requirements. **Applicants note that, although Toshima has an earlier U.S. filing date than the foreign priority date of the present application, the present application, and Toshima at the time of the present application, were both assigned or subject to be assigned to the same assignee – Tokyo Electron.** Accordingly, under 35 U.S.C. § 103(c), Toshima is not available as a prior art reference for purposes of any rejections under 35 U.S.C. 103(a). Applicant therefore respectfully requests the Examiner's withdrawal of the rejection under 35 U.S.C. § 103(a).

In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance, pending the Examiner's reexamination of the claims.

An entry of the claim amendment is respectfully requested as Claim 12 was amended with the subject matter of Claim 32 (now canceled), and hence no new issue has been raised.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 199372003910.

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